

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Trademark Examining Attorney: Tasneem Hussain
Law Office: 105

TTAB

Applicant: Gordon Brothers Group LLC

Serial No.: 78/748,543

Filing Date: November 7, 2005

Mark: 1903 DEBT FUND, L.P.

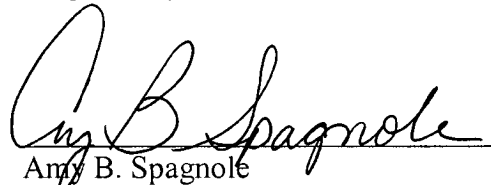
Commissioner for Trademarks
Box 1451
Alexandria, VA 22313-1451

NOTICE OF APPEAL

Appeal is taken herewith from the final refusal to register in the above entitled application. A check is enclosed herewith to cover the appeal fee. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-0485.

A Request for Reconsideration is being submitted concurrently herewith, and it is believed will moot the need for an Appeal. The Appeal, however, is being filed to preserve Applicant's rights in the event the Request for Reconsideration is denied.

Respectfully submitted,



Amy B. Spagnole
Hinckley, Allen & Snyder LLP
28 State Street

Boston, MA 02109
Telephone: (617) 345-9000
Facsimile: (617) 345-9020

Attorneys for Applicant

Dated: June 27, 2007

Certificate Of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the Commissioner for Trademarks, PO Box 1451, Alexandria, VA 22313-1451, on 6/27/07.

Date 6/27/07

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07-02-2007

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**AMENDMENT AND RESPONSE TO FINAL OFFICE
ACTION AND REQUEST FOR RECONSIDERATION**

Dear Madam:

This following is submitted in response to the Final Office Action dated January 11, 2007.

AMENDMENT

Please delete the identification of services in the present application and insert the following in lieu thereof:

-- Mutual fund services, namely establishing mutual funds for others; investing the funds of others; investment advisory services. --

Please make the following statement of record:

-- No claim is made to the exclusive right to use "DEBT FUND, L.P." apart from the mark shown.--

The Applicant seeks registration of the mark in part under § 2(f) of the Trademark Act (15 U.S.C. § 1052(f)).

Please make the following statement of record:

-- The mark has become distinctive of the services in part as to 1903 as evidenced by Applicant's ownership of U.S. Registration Nos. 2,993,710 and 2,941,085 on the Principal Register for similar marks for related services.--

REMARKS

The Examining Attorney has refused registration of Applicant's trademark 1903 DEBT FUND, L.P. under Section 2(e)(1) of the Trademark Act, 15 U.S.C. § 1052(e)(1), on the grounds that the mark is merely descriptive of the identified services. Applicant respectfully disagrees with the Examining Attorney's determination. Notwithstanding the references provided by the Examining Attorney, Applicant submits that the mark 1903 DEBT FUND, L.P. is such that consumers do not immediately perceive it to be descriptive of the Applicant's services.

While the Applicant contends that its mark is inherently distinctive, and is therefore entitled to registration without more, in the interest of advancing this application to registration, Applicant submits, in the alternative, that 1903 as comprising part of the mark 1903 DEBT FUND, L.P. has acquired distinctiveness based on Applicant's ownership of prior trademark registrations for the same mark for related goods on the Principal Register. 37 C.F.R. § 2.41.

Applicant is the owner of United States trademark Registration No. 2,993,710 for 1903 GB (and Design) and Registration No. 2,941,085 for 1903 GB GORDON BROTHERS GROUP (and Design) both for "business management and consulting in the field of retailing; business consultation in the field of retailer restructuring and trouble shooting; retailer business planning services; real estate auction services for the consumer products and retailing industries; online trading of consumer goods of others including

cancelled orders, overstock and excess inventory and providing product information for seller's goods in connection therewith; business appraisal services for the consumer products and retailing industries, namely, appraisal of inventory, assets, and operations,” in Class 35 and “business liquidation, inventory and asset disposition and redeployment services for the consumer products and retailing industries; business appraisal services for the consumer products and retailing industries, namely, real estate valuation; real estate consulting, site selection, lease negotiation, lease management and restructuring and disposition services for the consumer products and retailing industries; providing financing for others namely commercial lending and equity investing for the consumer products and retailing industries,” in Class 36, which registrations are in full force and effect on the Principal Register.

The instant application, Serial No. 78/748,557, is for the mark 1903 DEBT FUND, L.P. for “mutual fund services, namely establishing mutual funds for others; investing the funds of others; investment advisory services,” in Class 36. The marks contained in the subject application and Registration Nos. 2,993,710 and 2,941,085 are the “same” as they all contain 1903 as the dominant portion thereof.

Furthermore, the services contained in the instant application are sufficiently similar to the services set forth in Applicant’s prior registrations. The services listed in Registration Nos. 2,993,710 and 2,941,085 namely, “providing financing for others namely commercial lending and equity investing for the consumer products and retailing industries” and the services listed in the present application namely, “mutual fund services, namely establishing mutual funds for others; investing the funds of others; investment advisory services” can all be described financial and investment services.

Financial and investment services of this type are typically offered by the same company to the same customers. See News articles discussing services provided by various companies attached at Exhibit A. Thus, the financial and investment services in the subject application and the financial and investment services listed in Applicant's prior registrations are services for which purchasers would be likely to believe, if offered under the same mark, emanate from the same source or are somehow connected with or sponsored by Applicant. See In re Best Products Co., 231 USPQ 988 (TTAB 1986) (holding mail order and catalog showroom services and retail jewelry store services are sufficiently similar); In re Owens-Illinois Glass Co., 143 USPQ 431 (TTAB 1964) (applicant's ownership of prior registration LIBBEY for cut glass articles held acceptable as prima facie evidence of distinctiveness of identical mark for plastic table ware); In re Lytle Engineering & Manufacturing Co., 125 USPQ 308 (TTAB 1960) (applicant's ownership of prior registration of LYTLE for various services, including the planning, preparation and production of technical publications, held acceptable as prima facie evidence of distinctiveness of identical mark for brochures, catalogs and bulletins).

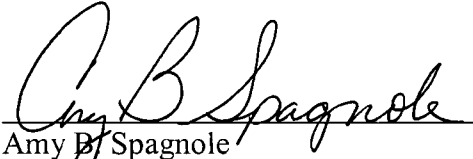
By the foregoing amendments, the Applicant has responded to the requirements of the Trademark Examining Attorney. There being no outstanding formalities, passage to publication is respectfully requested. If for any reason, however, the Examining Attorney does not accept Applicant's amendments to this application, Applicant hereby appeals the Examiner's final rejection. A copy of the Notice of Appeal being filed contemporaneously herewith is attached at Exhibit B.

In any matter which will advance the prosecution of this case, the Trademark
Examining Attorney is requested to call the undersigned at (617) 378-4204.

Respectfully submitted,

HINCKLEY, ALLEN & SNYDER, LLP

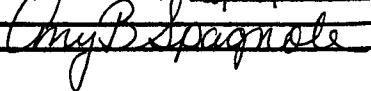
Dated: June 27, 2007



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United States Postal Service with sufficient postage as first-class mail
in an envelope addressed to the Commissioner for Trademarks,
PO Box 1451, Alexandria, VA 22313-1451, on 6/27/07

Date 6/27/07 

Attorneys for Applicant

EXHIBIT A

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June 26, 2007

Thornburg Mortgage Declares Series E Preferred Dividends

SANTA FE, N.M.--(BUSINESS WIRE)--June 26, 2007--Thornburg Mortgage (NYSE: TMA) announced a pro-rated dividend of \$0.140625 per share on its 7.50% Series E Cumulative Convertible Redeemable Preferred Stock for the period from June 19, 2007 through July 15, 2007. This dividend is payable on July 16, 2007 to Series E shareholders of record as of June 29, 2007. The ex-dividend date is June 27, 2007.

Thornburg Mortgage is a leading single-family residential mortgage lender focused principally on the jumbo segment of the adjustable rate mortgage market. Backed by a balance sheet of \$55.2 billion in high quality mortgage assets, the company seeks to deliver attractive dividend income and steady growth for its shareholders by acquiring high quality mortgage-backed securities and growing its share of the mortgage loan origination business. Capitalizing on its innovative portfolio lending model, REIT tax structure and leading edge technology, Thornburg Mortgage is a highly efficient provider of specialized mortgage loan products for borrowers nationwide with excellent credit. We invite you to visit the company's website at www.thornburgmortgage.com.

Thornburg Investment Management, a separate investment management company founded in 1982, advises a series of seven ladder-maturity bond mutual funds, six equity mutual funds, and separately managed equity and fixed income portfolios for institutional and high-net-worth clients and sub-advisory services.

Both companies share three core attributes: high quality operations, innovative strategies for achieving their goals, as well as a disciplined approach to managing and controlling risk.

Certain matters discussed in this news release may constitute forward-looking statements within the meaning of the federal securities laws. These forward-looking statements are based on current expectations, estimates and projections, and are not guarantees of future performance, events or results. Actual results and developments could differ materially from those expressed in or contemplated by the forward-looking statements due to a number of factors, including general economic conditions, interest rates, the availability of ARM securities and loans for acquisition and other risk factors discussed in the

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company's SEC reports, including its most recent annual report on Form 10-K. The company does not undertake to update, revise or correct any of the forward-looking information.

CONTACT: Thornburg Mortgage Allison Yates or Clay Simmons,
505-989-1900 ir@thornburgmortgage.com

KEYWORD: NEW MEXICO

INDUSTRY KEYWORD: REAL ESTATE BUILDING/CONSTRUCTION BANKING DIVIDEND

SOURCE: Thornburg Mortgage

---- INDEX REFERENCES ----

COMPANY: CLAY; THORNBURG MORTGAGE INC; SIMMONS; SEC SOCIETE EUROPEENNE DE
COMMUNICATION; REIT

NEWS SUBJECT: (Funding Instruments (1FU41); Real Estate Investment Trusts (1RE39))

INDUSTRY: (Banking (1BA20); Mortgage Banking (1MO85); Financial Services (1FI37);
Retail Banking Services (1RE38); Consumer Finance (1CO55); Real Estate (1RE57))

REGION: (USA (1US73); Americas (1AM92); North America (1NO39))

Language: EN

OTHER INDEXING: (ARM; CLAY; NYSE: TMA; REIT; SEC; SIMMONS; THORNBURG INVESTMENT
MANAGEMENT; THORNBURG MORTGAGE; THORNBURG MORTGAGE ALLISON YATES; THORNBURG
MORTGAGE DECLARES SERIES) (Capitalizing; MEXICOINDUSTRY KEYWORD; Preferred
Dividends; Redeemable Preferred)

KEYWORDS: NEW MEXICO (f); (REAL ESTATE BUILDING/CONSTRUCTION BANKING DIVIDEND)

TICKER SYMBOL: NYSE:TMA

Word Count: 531

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Business Wire
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June 5, 2007

Bear Stearns Announces Asset Management Joint Venture in Saudi Arabia

Mishaal Bin Abdullah Bin Turki Bin Abdul Aziz Al-Saud To Form
Bear Stearns Arabia Asset Management Business
Editors NEW YORK & LONDON & JEDDAH, Saudi Arabia--(BUSINESS WIRE)--June 5,
2007--Bear Stearns today announced that it has signed a letter of intent with a
consortium of Saudi business leaders led by HH Prince Mishaal Bin Abdullah Bin
Turki Al-Saud of Zad Investment Company to form Bear Stearns Arabia Asset
Management.

Bear Stearns Arabia Asset Management ("BSAAM") will be a Saudi Arabian registered
asset management company, with headquarters in Riyadh, serving institutions and
high-net-worth individuals in Saudi Arabia. BSAAM will develop and distribute
Sharia-compliant and other investment products. In addition, it will leverage Bear
Stearns Asset Management's platform, offering traditional equity and fixed income,
hedge fund and private equity fund products.

Prince Mishaal A.T. Al-Saud will be the Chairman of BSAAM and both Michel Peretie,
CEO of Bear Stearns International Limited, and Christian Yates, Head of
International for Bear Stearns Asset Management, will be on the Board of
Directors. Bear Stearns will own a 50% stake in BSAAM, which will be the firm's
first permanent business in the region. BSAAM plans to build an international team
of individuals who have vast experience in asset management and local knowledge.

"Bear Stearns Arabia Asset Management will combine world-class asset management
expertise with a deep knowledge of the investment needs and preferences of large
investors in the Kingdom and the Gulf," said Prince Mishaal A.T. Al-Saud. "This is
an exciting time in the economic development of our region, and Bear Stearns
Arabia Asset Management will be a leader in offering innovative, high quality,
locally-focused Sharia-compliant investment products, in addition to the 'best in
class' from the rest of the world."

Ihab El-Hashani, a senior investment advisor to the consortium who will also be a
member of the BSAAM Board of Directors, added, "The joint venture will offer
structured products that will match the increasing demand and sophistication of
institutional and high-net-worth customers in this part of the world."

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Richard A. Marin, Chairman and Chief Executive Officer of Bear Stearns Asset Management, commented, "We are excited at the prospect of working together with our Saudi partners to build a world-class Saudi Arabia-based asset management company. Our goal is to be the leading independent asset manager in Saudi Arabia and a global leader in Sharia-compliant investment products."

Michel Peretie added, "The development of Bear Stearns' business in Saudi Arabia and the other GCC states is a key part of our strategy for global growth. We hope to forge strong relationships in the region, in time allowing us to offer not only asset management products but also a full range of trading, brokerage and advisory services."

About Bear Stearns Asset Management Inc.

Bear Stearns Asset Management Inc. (BSAM) is a wholly-owned subsidiary of The Bear Stearns Companies Inc. (NYSE:BSC). Building on two core capabilities, **investment** analytics and **investment** products, BSAM delivers sophisticated and comprehensive solutions which include traditional long-only **equity** and fixed income asset classes, hedge **funds** and **funds** of hedge **funds**, private **equity** solutions, **advisory** services and capital raising. Bear Measurisk, LLC, a majority owned subsidiary of BSAM, is a leading provider of risk transparency and risk monitoring solutions. For more information about Bear Stearns Asset Management, please go to www.BSAMonline.com.

About Bear Stearns International Limited

Bear, Stearns International Limited (BSIL) is a wholly owned subsidiary of The Bear Stearns Companies Inc. and is authorised and regulated by the Financial Services Authority. Founded in 1923, The Bear Stearns Companies Inc. is a leading financial services firm serving governments, corporations, institutions and individuals worldwide. The Company's core business lines include institutional equities, fixed income, investment banking, global clearing services, asset management, and private client services. Headquartered in New York City, the company has approximately 14,500 employees worldwide. For additional information about Bear Stearns, please visit the firm's web site at www.bearstearns.com.

About Zad Investment Company

ZAD Investment Company is a privately controlled investment company managing the investments of the family of HH Prince Dr. Mishaal A. T. Al-Saud, Zad's Chief Executive Officer. The Company invests directly in companies of all kinds, primarily in the Kingdom of Saudi Arabia and elsewhere in the GCC, and makes passive portfolio investments in vehicles and instruments of all types throughout the world.

CONTACT: Bear, Stearns & Co. Inc.		Jessica Shepherd-Smith, +44 20 7516	
5920	or	Jane Slater, +212 272	
3933	or	Zad Investment Company	Door Public
Relations, +966 504 481 891			

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KEYWORD: NEW YORK SAUDI ARABIA UNITED KINGDOM INTERNATIONAL EUROPE AFRICA/MIDDLE EAST
INDUSTRY KEYWORD: BANKING MARKETING AGREEMENTS
SOURCE: Bear Stearns

----- INDEX REFERENCES -----

COMPANY: BEAR STEARNS COMPANIES INC; BEAR STEARNS ASSET MANAGEMENT INC; GULF CONTRACTORS COMPANY LLC; FINANCIAL SERVICES AUTHORITY; BEAR STEARNS INTERNATIONAL LTD; GCC; BEAR STEARNS CO

NEWS SUBJECT: (Joint Ventures (1JO05); Business Management (1BU42); Contracts & Orders (1CO29); Sales & Marketing (1MA51); Major Corporations (1MA93))

INDUSTRY: (Financial Services Products (1FI16); Financial Services (1FI37))

REGION: (Americas (1AM92); Saudi Arabia (1SA38); North America (1NO39); Middle East (1MI23); USA (1US73); Gulf States (1GU47); New York (1NE72); Arab States (1AR46))

Language: EN

OTHER INDEXING: (BEAR; BEAR MEASURISK LLC; BEAR STEARNS; BEAR STEARNS ANNOUNCES ASSET MANAGEMENT JOINT VENTURE; BEAR STEARNS ARABIA ASSET MANAGEMENT; BEAR STEARNS ASSET MANAGEMENT; BEAR STEARNS ASSET MANAGEMENT INC; BEAR STEARNS COMPANIES INC; BEAR STEARNS INTERNATIONAL LTD; BEAR STEARNS CO; BSAAM; BSAAM BOARD; BSAM; BSIL; FINANCIAL SERVICES AUTHORITY; FORM BEAR STEARNS ARABIA ASSET MANAGEMENT BUSINESS; GCC; HH; JANE SLATER; MICHEL PERETIE; MISHAAL BIN ABDULLAH BIN TURKI BIN ABDUL; NYSE:BSC; STEARNS INTERNATIONAL LTD; ZAD; ZAD INVESTMENT; ZAD INVESTMENT CO) (Al-Saud; Christian Yates; Ihab El-Hashani; Jessica Shepherd-Smith; Mishaal A. T. Al-Saud; Mishaal A.T. Al-Saud; Mishaal Bin; Richard A. Marin)

KEYWORDS: NEW YORK SAUDI ARABIA UNITED KINGDOM INTERNATIONAL EUROPE AFRICA/MIDDLE EAST (f); (BANKING MARKETING AGREEMENTS)

TICKER SYMBOL: NYSE:BSC

Word Count: 1023
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2007 WLNR 10006361

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May 1, 2007

Volume 63; Issue 3

Helping Middle-Market Companies Survive the Middle-Child Syndrome

Jesenik, Robert

IMAGE ILLUSTRATION

1

Middle-child syndrome occurs in a family ivhere focus often goes to the older overichiever or the vulnerable youngest sibling. The one in between fights for attention. In business, the top Fortune 500 companies are the darlings of Wall Street and start-ups catch the attention of venture capitalists and angel investors, leaving middle-sized companies crying, "Look at us!"

Middle-market companies are businesses with annual revenues of \$10 million to \$500 million. As of January 2006, there were 113,056 middlemarket companies in the United States. More than three fifths occupy the smaller end of the middle market, with annual sales between \$10 million and \$24.9 million. (see figure at right.)

IMAGE ILLUSTRATION

2

Today, middle-market companies the foundation of the U.S. business landscape - have been squeezed out of the picture for a chance to contribute to the nation's economy.

Not every business owner possesses proficiency in finance, compliance, risk management, labor law, or securities law. Middle-market companies can lack in-house management skills needed to reduce overhead and the financial resources needed to grow. As forecasts for a slowing economy loom in 2007, mid-market companies could take a hit.

However, a handful of alternative investment firms have taken notice. This new breed of financiers capitalizes on the opening of the private equity market to individual investors, meeting the demand of middle-market companies. Until recently, alternative investment opportunities were accessible to only high net

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worth and institutional investors. As private equity firms proliferate, this allows individual investors to get in on lucrative deals. Consequently, alternative investment firms are gaining strength to fill the gap left by the changes in traditional lending that brought middle-market companies to the brink of disaster.

The missing link

Until the late 1980s and early '90s, the banking industry held to a traditional way of doing business for both corporate and personal financial transactions. There weren't many other alternatives. Banks were smaller and more regionally focused with the ability to establish and maintain long-term personal relationships with local business owners.

But in the 1980s, amid the numerous savings and loan customer defaults and bankruptcies, banks changed forever. By 1989, new regulations were put into place to prevent such catastrophes in the future.

A number of states passed legislation that paved the way for the megabanks, which gobbled up smaller competitors in bank consolidation mergers and acquisitions. By 2002, the total number of banks and thrifts in the United States decreased from 15,131 to 9,336. The focus shifted from business lending and finance to a retail emphasis, targeting consumers and real estate lending transactions.

By the mid 1990s, large finance companies began to absorb one another as well, gaining greater credibility and a competitive foothold in the lucrative corporate lending market. Larger nonbank finance companies also merged, intensifying the competitive landscape within the finance industry. By the end of the decade, finance companies had become America's second largest source of business credit.

Today, banks look a lot different placing more emphasis on retail and consumer banking, with business lending typically restricted to Fortune 500 companies.

With federal regulation driving credit policy, it effectively ties banks' hands with a limited product line and capacity to assume risk. The big banks focus on consumers and big companies with bigger revenues, while community banks work within the limitations to lend to businesses with smaller balance sheets and \$200 million and less in annual revenues.

But there is still a missing link: help for the businesses in the middle, and their investors.

Even as banks and nonbanks alike continue to compete in the lending arena, using shareholder monies and investments remains the foundation for infusing capital into publicly held companies. But that scenario is changing. What is different today is the decreasing dependence on the markets as the sole focus of investments that yield high returns. The stock market's role in capital finance is being challenged.

The time has come to expand investment opportunities beyond the stock market, because the days of lucrative gains may be over for the foreseeable future, and because investors are not content with shrinking returns, especially when the

evolution of new alternatives for investors allow them to access and gain from private equity sponsors like never before.

The private equity factor

In the October 19, 2006 issue of London's global business publication, The Business, an article entitled "In Praise of Private Equity" cited, "While publicly-quoted stocks will obviously always remain the dominant corporate structure, economists are beginning to wonder whether private ownership is not often more efficient, at least in some respects and in some kinds of industries, than the traditional stock-market listed corporation."

As the tide turns in the direction of privatization, a new breed of private equity firm has emerged that specializes in providing growth and operational advisory services, and sourcing capital investment solutions while managing its investors' funds. Private equity firms are opening new financing avenues for middle-market companies that have been struggling to find the capital they need to thrive.

The current market is ripe for this investment strategy, as alternatives and private equity vie with other popular entities to provide the kind of high returns investors seek.

Investors have also developed a greater tolerance of risk. According to a 2005 study on financial risk tolerance conducted by John Grable, an associate professor of family studies and human services at Kansas State University, "With knowledge comes increased risk tolerance. That is really one of the key factors - the more knowledge you gain, the more secure you feel when making a risky decision."

As entertainment has become a staple aspect of the average American life, it too can contribute to the investor's desire for opportunities that provide a level of excitement not previously sought in financial dealings.

How middle-market companies and investors benefit

Over the past 100 years, the growth of the industrial economy and the role of investment strength have endured the bank consolidation cycle, commercial finance company cycle, scandals and corporate crises. Today, an upswing in the popularity of community banks and alternative investment firms is good news for middle-market companies.

In the private equity arena, alternative investment managers have access to investment liquidity - a strong benefit for middle-market companies. These firms are not beholden to the same regulations and lending limits that hamstringing regulated lenders, and the managers working in the alternative investment industry are some of the best and brightest.

Alternative investments cut a broad swath across a number of nonpublic categories, such as private equity, hedge funds, venture capital, commodities funds, etc. Over the past several years, alternatives have earned higher returns than public equity markets. That has understandably raised the profile of alternatives as an attractive investment option.

Over the past decade, visionary financial managers have taken the "one-stop shop" model, where both investor and borrower needs are addressed, and adapted it to serve the needs of businesses with \$200 million and less in revenue. For individual investors, these alternative investment firms offer an infrastructure that gives them access to clearly defined products, providing transparent oversight to borrowers. To address hurdles and restrictions that face both accredited and non-accredited individual investors, fund management firms have begun to adopt public structures that improve fund accessibility for more of the potential investor population.

Some of these one-stop alternative investment firms provide investor products that range from debt and equity funds to innovative hybrid funds - all that may require risk tolerance, but which generate significant returns. For borrowers, collateral and returns are matched to the investor funds, generating the type of confidence in the system that frees business owners to concentrate on growth and sustainability.

The emerging private equity partners offer further customization. In many firms, the lending and investment divisions offer expertise in particular industry niches. The solutions generated are not a "one size fits all," but take into account that industry's challenges and opportunities. These companies often have deep, established relationships with other financing partners, which allow them to negotiate and structure deals that would be insurmountable for a middle-market business owner.

Using open-ended investment structures, private equity firms can address both debt and equity investment themes to satisfy investors, whether they want high yield, higher yield, only some equity or pure equity. Rather than creating a public fund, fund management firms marry the high returns from private equity investments with the more flexible terms of an open-end fund. After much shorter tie-up periods (one to four years versus five to ten years for a closed-end fund), investors have the ability to liquidate their holdings by selling their interests back to the fund. This option is gaining strength and visibility in the investment community.

One stop in the global marketplace

Today's options in business finance and investment have evolved from our nation's original banking models that emphasized individual understanding and a hands-on approach. In a more complex and regulated environment, alternative investment firms are able to bridge the gap for middle-market companies that larger financial institutions cannot. By bringing a one-stop approach to both corporations and investors, these alternative investment firms are making their footprint in history and positioning middlemarket companies to thrive in the global marketplace.

IMAGE ILLUSTRATION

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SIDEBAR

The focus shifted from business lending and finance ... to a retail emphasis, targeting consumers and real estate lending transactions.

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IMAGE PHOTOGRAPH

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AUTHOR_AFFILIATION

Robert Jesenik is the CEO of Aequitas Capital Management, Portland, OR. He chairs the firm's investment committee and oversees the activities of the firm's healthcare, energy and middle-market portfolio managers. He can be reached at (503) 419-3500.

---- INDEX REFERENCES ----

NEWS SUBJECT: (Funding Instruments (1FU41); Venture Capital (1VE73); Corporate Funding (1XO17); Business Management (1BU42))

INDUSTRY: (Science & Engineering (1SC33); Theoretical Analysis (1TH79); Investment Management (1IN34); Financial Services (1FI37); Business Theory (1BU14))

REGION: (USA (1US73); Americas (1AM92); North America (1NO39))

Language: EN

OTHER INDEXING: (AEQUITAS CAPITAL MANAGEMENT; AUTHOR; KANSAS STATE UNIVERSITY; SIDEBAR) (John Grable; Robert Jesenik) (United States--US)

KEYWORDS: (Small & medium sized enterprises-SME); (Private equity); (Capital)

Word Count: 2118

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4/11/07 Hoovers Company In-Depth Records (Pg. Unavail. Online)
2007 WLNR 6875044

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April 11, 2007

Evercore Partners Inc.

Overview

Ever looking to the core of a business to find untapped potential, Evercore Partners provides financial, corporate restructuring, and mergers and acquisitions advisory services. The company also manages more than \$1 billion in private equity investments on behalf of institutional and high-net-worth clients, including holdings in American Media, publisher of National Enquirer and Star magazines, Fidelity National Information Services, and advertising firm Vertis. Evercore was launched in 1996 by Roger Altman, who formerly led investment banking and merger advisory practices at Lehman Brothers and The Blackstone Group.

<p>Evercore has been an advisor on several high-profile transactions: In early 2005 it helped then SBC Corporation hammer out its bid for AT&T, then advised the new AT&T on its acquisition of BellSouth a year later. It also assisted General Motors on the sale of a majority interest in the carmaker's GMAC unit. <p>In early 2006 Evercore formed Evercore Asset Management, which focuses on small- and mid-cap equities. The company also acquired Protego, a boutique investment bank founded by Pedro Aspe, Mexico's former Minister of Finance. In addition to corporate advisory services, Protego specializes in financing municipal infrastructure and energy projects in Mexico. <p>Evercore hopes to utilize funds from its 2006 IPO to start another private equity fund and to expand in Japan, where it has a joint venture with Mizuho Securities and The Bridgeford Group. <p>The company acquired UK investment firm Braveheart Financial Services in a stock-only deal in 2006.

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United States
Phone: 212-857-3100
Fax: 212-857-3101

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Website: <http://www.evercore.com>Key Numbers

Fiscal Year End: December

2006 Sales (\$mil.): \$216.5

One Year Sales Growth: 72.3%

2006 Net Income (\$mil.): \$69.7

One Year Income Growth: 10.4%

2005 Employees: 120

Stock

Company Type: Public

U.S. Ticker Symbol: EVR; U.S. Exchange: NYSE

Officers

Co-Chairman and co-CEO: Roger C. Altman, Age: 60

Co-Chairman and Senior Managing Director; Chairman and CEO, Protego: Pedro Aspe,
Age: 55

Co-Vice Chairman: Eduardo G. Mestre, Age: 57

Co-Vice Chairman and Senior Managing Director: Bernard Taylor, Age: 48

President, Co-CEO, Chief Investment Officer, and Director: Austin M. Beutner, Age:
46

CFO: David E. Wezdenko, Age: 42

Controller: Thomas J. Gavenda, Age: 37

CEO and Director, Protego Asset Management Business: Sergio Sanchez, Age: 47

Senior Managing Director and Vice Chairman, Investment Management Business : John
T. Dillon, Age: 68Senior Managing Director and Head of Sales and Marketing, Investment Management
Business : Gail Landis, Age: 53

Senior Managing Director and General Counsel: Adam B. Frankel, Age: 38

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Senior Managing Director and COO, Investment Management Business: Kathleen G. Reiland, Age: 41

Senior Managing Director and Co-Head of Restructuring Practice: William (Bill) Repko, Age: 56

Senior Managing Director and Co-Head of Restructuring Practice: David Ying, Age: 51

Senior Managing Director and COO, Corporate Advisory Business: Timothy G. LaLonde, Age: 44

Senior Managing Director, Venture Capital Business: Sangam Pant, Age: 41

Senior Managing Director: Saul D. Goodman, Age: 38

Senior Managing Director: M. Sharon Lewellen, Age: 47

Senior Managing Director: William O. Hiltz, Age: 54

Senior Managing Director: Richard P. Emerson, Age: 44

Senior Managing Director: Jonathan A. Knee, Age: 44

Senior Managing Director: Ciara A. Burnham, Age: 40

Senior Managing Director: Neeraj Mital, Age: 39

Senior Managing Director: Michael J. Price, Age: 49

Senior Managing Director: William A. Shutzer, Age: 59

Senior Managing Director : Jane Wheeler, Age: 37

Senior Managing Director: Jane Sadowsky

Senior Managing Director: Julian Oakley

Managing Director: John E. Honts

Managing Director: Brian K. Roberts, Age: 37

Principal, Evercore Ventures: Sky D. Dayton, Age: 34

Director, Protego: Fernando Aportela, Age: 35

Director, Protego: Augusto Arellano, Age: 31

Director, Protego: Hugo Garza, Age: 41

Principal, Evercore Ventures: Jacob C. (Jake) Winebaum, Age: 47

Director, Protego: Jorge Marcos, Age: 54

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Director, Protego: Antonio Souza, Age: 51

Directors

Co-Chairman and co-CEO: Roger C. Altman, Age: 60

Co-Chairman and Senior Managing Director; Chairman and CEO, Protego: Pedro Aspe, Age: 55

Co-Vice Chairman: Eduardo G. Mestre, Age: 57

Co-Vice Chairman and Senior Managing Director: Bernard Taylor, Age: 48

President, Co-CEO, Chief Investment Officer, and Director: Austin M. Beutner, Age: 46

Product Information

Operations

	2005 Sales	\$ mil.	%
of total Advisory revenue	110.8	88	Investment
management revenue	14.6	12	Interest & other
0.2	-	Total	
125.6	100	Selected Investments	American Media, Inc.
(publishing) Continental Energy Services, Inc. (non-utility electric generation)			
Davis Petroleum Corp. (oil and gas production) Energy Partners, Ltd. (oil and gas exploration)			
Fidelity National Information Services, Inc. (data processing)			
Michigan Electric Transmission Company, LLC Resources Connection, Inc. (outsourced staffing services)			
Specialty Products & Insulation Co. Telenet Group Holding N.V. (telecom provider, Belgium)			
Test Equity, LLC (testing and diagnostic equipment)			
Vertis, Inc. (advertising and marketing)			

Selected Products

Security Brokers and Dealers
 Security and Commodity Services, NEC
 Offices Of Holding Co's, NEC
 Unit Investment Trusts, Face-Amount Certifi
 Investors, NEC
 Management Consulting Services
 Investment Banking and Securities Dealing
 Miscellaneous Financial Investment Activities
 Other Financial Vehicles
 Management of Companies and Enterprises
 All Other Business Support Services

Key Competitors

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Allen & Company
Greenhill
Lazard
Apollo Advisors
Blackstone Group
Citigroup Global Markets
Credit Suisse
Gleacher Partners
Goldman Sachs
Lehman Brothers
Merrill Lynch
Morgan Stanley
Sequoia Capital
Thomas H. Lee Partners
UBS Investment Bank

Industry

Financial Services
Investment Banking
Investment Firms

---- INDEX REFERENCES ----

COMPANY: EVERCORE PARTNERS INC

INDUSTRY: (Traditional IRA (1TR76); Investment Management (1IN34); Investment Management (1IN34); Money Market Instruments (1MO91); Corporate Strategy & Strategic Planning (1X003); Corporate Groups & Ownership (1X009))

REGION: (USA (1US73); New York (1NE72))

Language: EN

OTHER INDEXING: (EVERCORE PARTNERS INC) (Company Profiles) (New York; New York; United States)

SIC: 6211; 6289; 6719; 6726; 6799; 8742

NAICS CODE: 523110; 523999; 525990; 55111; 561499

Word Count: 1108

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Page 1

3/22/07 Daily Deal (Pg. Unavail. Online)
2007 WLNR 5401321

Daily Deal
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March 22, 2007

PE briefly noted: March 22, 2007

edited by Greg Johnson

Read a roundup of private equity news briefs from around the world.

Spectrum Equity sells CBD Media

Local Insight Media LP, an Englewood, Colo., telephone directories publisher owned by New York private equity firm Welsh Carson Anderson & Stowe, has completed the acquisition of Cincinnati counterpart CBD Media LLC. Terms weren't disclosed. Menlo Park, Calif., buyout firm Spectrum Equity Investors, which had owned 95% of CBD, received cash and Local Insight stock in the deal. In 2002, Spectrum invested \$145 million of equity in a \$345 million buyout of CBD. Welsh Carson formed Local Media in early 2006 to acquire directories publishers in Puerto Rico and the Dominican Republic from Verizon Communications Inc. -- David Carey

Deutsche Bank closes buyout fund

The alternative investments business of Deutsche Bank AG said Wednesday, March 21, it has closed its first secondary private equity fund with \$775 million in commitments from investors in the U.S., Europe and the Middle East. The transaction includes the purchase of 97 diversified PE interests from the bank for \$415 million. The German bank also agreed to take a minority stake in Dallas-based Aldus Equity, a fund-of-funds managing about \$1 billion in alternative assets. On March 12, Goldman Sachs Vintage Funds' completed a \$440 million acquisition of Mellon Financial Corp.'s partnership holdings in 67 PE funds. -- Vyvyan Tenorio

Spire Capital set to ride with the bulls

New York private equity firm Spire Capital Partners LLC has acquired a majority stake in Professional Bull Riders Inc., a 15-year-old Colorado Springs, Colo., sponsor of professional bull riding events, from individual PBR investors. Financial terms were not disclosed. Bear, Stearns & Co. was financial adviser to PBR while Faegre & Benson LLP was counsel. Sonnenschein, Nath & Rosenthal LLP was legal adviser to Spire. -- Kelly Holman

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Javelin taps Waller Capital

Bermuda telecom Javelin Connections Bermuda Ltd. said Wednesday, March 21, it has hired Waller Capital Corp. to explore strategic alternatives. Javelin is a portfolio company of New York private equity firm Stonington Partners Inc. Javelin's subsidiaries include Bermuda telecom TeleBermuda International Ltd. and TeleCayman Ltd. of the Cayman Islands. -- Chris Nolter

Parthenon finishes Wildlands invest

Parthenon Capital LLC has completed an investment in Wildlands Inc., a habitat development and land management company based in Rocklin, Calif. Financial terms were not announced. Parthenon, with offices in Boston and San Francisco, is a private equity firm with more than \$1.5 billion under management. -- Luisa Beltran

Veronis Suhler aids MediZine

Veronis Suhler Stevenson said Wednesday, March 21, it has made what it calls a significant investment in MediZine LLC, a provider of patient education magazines. Financial terms were not announced. New York-based MediZine publishes four health and wellness magazines, including Healthy Living and Diabetes Focus, that can be found in pharmacies and doctor's offices. VSS, a New York buyout shop, invests in media and communications companies. -- Luisa Beltran

Providential creates Vietnam fund

Los Angeles financial **advisory** firm Providential Holdings Inc. has formed the Providential Vietnam Growth **Fund**, a \$100 million private **equity investment** vehicle that will **invest** in Asian companies. As part of its focus, the new fund will back Vietnam-based companies that ultimately plan to be listed on stock exchanges in Vietnam and the U.S. In addition, the fund will invest in state-owned business undergoing privatization. -- Kelly Holman

China fund gets new cash in London

ARC Capital Holdings Ltd., a closed-end investment fund listed on London's AIM Market, said Wednesday, March 21, it is raising about \$200 million via a share placement, with priority given to shareholders. ARC Capital plans to take stakes in the consumer and retail sector in China and says it has a pipeline of \$460 million of investments to make on its own or with co-investors. ARC Capital started trading on AIM in 2006 after an initial fund-raising of \$81 million. In February, ARC Capital agreed to acquire a 93.6% stake in Shanghai Jiadeli Supermarket Co. Ltd. for \$62.5 million. It also has investments in baby stroller maker Goodbaby Group and Ningxia Xiagin Dairy Group Co. Ltd. -- Jonathan Braude

Lake Capital invests in NetStar-1

Lake Capital Partners LP has made an investment of undisclosed size in NetStar-1 Inc., a Rockville, Md.-based information technology consulting company. Financial transaction terms between Chicago private equity firm Lake Capital and NetStar-1, a company with close to \$100 million in annual revenue, were not released. NetStar plans to use proceeds from the investment to fund future acquisitions and other

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business projects. -- Kelly Holman

<http://www.TheDeal.com>

---- INDEX REFERENCES ----

COMPANY: J R CONSULTING INC; BELL ATLANTIC CORP; VERIZON COMMUNICATIONS INC; MCI INC; DEUTSCHE BANK AG; BEAR STEARNS COMPANIES INC; PROVIDENTIAL HOLDINGS INC; MELLON FINANCIAL CORPORATION; STONINGTON PARTNERS INC; BEAR STEARNS CO; MELLON BANK CORP; CBD MEDIA LLC; MELLON FINANCIAL CORP

NEWS SUBJECT: (Mergers & Acquisitions (1ME39); Major Corporations (1MA93); Corporate Groups & Ownership (1X009))

INDUSTRY: (Financial Services (1FI37))

REGION: (Islands (1IS89); Bermuda (1BE15); China (1CH15); Southeast Asia (1SO64); Americas (1AM92); Vietnam (1VI02); Colorado (1CO26); North America (1NO39); Asia (1AS61); Far East (1FA27); Eastern Asia (1EA61); Indo China (1IN61); USA (1US73); New York (1NE72); California (1CA98))

Language: EN

OTHER INDEXING: (BEAR STEARNS CO; CAPITAL HOLDINGS LTD; CBD; CBD MEDIA LLC; DAVID CAREY LOCAL INSIGHT MEDIA; DEUTSCHE BANK; GOODBABY GROUP NINGXIA XIAGIN DAIRY GROUP CO; LOCAL MEDIA; LUISA BELTRAN PARTHENON CAPITAL LLC WILDLANDS INC; LUISA BELTRAN VERONIS SUHLER STEVENSON MEDIZINE LLC; MEDIZINE; MELLON FINANCIAL CORP; PARTNERS LLC PROFESSIONAL BULL RIDERS INC; PBR; PE; PROVIDENTIAL HOLDINGS INC; PROVIDENTIAL VIETNAM GROWTH FUND; SHANGHAI JIADELI SUPERMARKET CO LTD; STONINGTON PARTNERS INC; TELEBERMUDA INTERNATIONAL LTD; TELECAYMAN LTD; VERIZON COMMUNICATIONS INC; VSS; VYVYAN TENORIO DEUTSCHE BANK AG ALDUS EQUITY GOLDMAN SACHS VINTAGE FUNDS; WALLER CAPITAL CORP; WILDLANDS) (Capital; Carson Anderson; Chris Nolter; Diabetes Focus; Equity; Faegre Benson; Healthy Living; Javelin; Javelin Connections; Kelly; Kelly Holman; Kelly Holman Spire; Lake; Lake Capital; Ltd; Ltd.; Menlo Park; Nath Rosenthal; NetStar; Parthenon; Providential; Read; Spectrum; Spectrum Equity; Spire; Spire Capital; Stowe Spectrum; Veronis Suhler; Waller Capital; Welsh Carson)

Word Count: 964

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3/15/07 Bus. Wire 11:45:00

Business Wire
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March 15, 2007

GE and The Blackstone Group Join to Acquire PHH Corporation for \$1.8 billion

DANBURY, Conn.--(BUSINESS WIRE)--March 15, 2007--GE Capital Solutions, the business-to-business leasing, financing and asset management unit of General Electric Co. (NYSE:GE) and The Blackstone Group, through its affiliates, today agreed to acquire PHH Corporation (NYSE:PHH) in an all-cash transaction for \$31.50 per share or approximately \$1.8 billion.

Headquartered in Mount Laurel, NJ, PHH Corporation comprises PHH Arval, a North American fleet management services provider, and PHH Mortgage, a retail originator and servicer of residential mortgages in the United States. PHH Corporation will be purchased by GE, which will retain PHH Arval and sell PHH Mortgage to Blackstone immediately after closing.

Based in Sparks, MD, and with approximately \$5 billion in assets, PHH Arval provides outsourced vehicle fleet management solutions to corporate clients, including nearly one-third of the Fortune 500 companies. Through consultative expertise, flexible customer service, and award-winning Internet technology, PHH Arval helps clients reduce costs and increase productivity in managing their fleets. PHH Arval has been serving the fleet industry for more than sixty years.

"We believe the integrated financing and services we offer can help customers optimize fleet performance by helping them acquire, manage and sell company vehicles," said Richard Laxer, president and CEO, GE Capital Solutions. "Combining with PHH will enable us to provide our customers with a greater level of service to meet their growing needs and challenges."

"The fleet management industry is changing rapidly, and issues such as the environment, safety, telematics, global reach and continued cost effectiveness are increasingly important," said George J. Kilroy, president and CEO of PHH Arval. "PHH Arval and GE together can bring the focus needed for these opportunities to expand the impact of fleet management and create measurable value for our customers."

"Our businesses share a common commitment to customer service, innovation and using technology to maximize the value of our customers' fleets. The combination of our businesses will allow us to better serve our customers in achieving their

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sales, service and delivery performance goals," added Bob Mitchell, president and CEO of GE Capital Solutions, Fleet Services.

The acquisition is subject to PHH shareholder and regulatory approvals and other closing conditions. It is expected to close in the third quarter of 2007.

Lehman Brothers advised GE and Blackstone on this transaction. JP Morgan also served as an advisor to Blackstone. Legal representation was provided by Weil, Gotshal, & Manges LLP and Simpson Thacher & Bartlett LLP to GE and Blackstone, respectively.

About PHH Corporation

Headquartered in Mount Laurel, New Jersey, PHH Corporation is a leading outsource provider of mortgage and vehicle fleet management services. Its subsidiary, PHH Mortgage, is one of the top ten retail originators of residential mortgages in the United States and its subsidiary, PHH Arval, is a leading fleet management services provider in the United States and Canada. For additional information about the company and its subsidiaries, visit www.phh.com.

About The Blackstone Group

The Blackstone Group, a global private investment and advisory firm, was founded in 1985. Blackstone's Private Equity arm has a long track record investing in the financial services sector and is currently investing an \$18 billion private equity fund. In addition to Private Equity, Blackstone's other core businesses include, Private Real Estate Investing, Corporate Debt Investing, Hedge Funds, Mutual Fund Management, Private Placement, Marketable Alternative Asset Management and Investment Banking Advisory Services. Further information is available at www.blackstone.com.

About GE Capital Solutions

GE Capital Solutions, Fleet Services (www.gefleet.com.) based in Eden Prairie, Minnesota, is a global fleet management company. It is part of GE Capital Solutions and has operations in the United States, Canada, Europe, Japan, Australia and New Zealand.

GE Capital Solutions (www.ge.com/capitalsolutions) provides leasing, lending and capital investment products and services to help business customers grow. It has over \$100 billion in assets, serves more than a million clients around the world and is headquartered in Danbury, Connecticut.

GE (NYSE: GE) is Imagination at Work -- a diversified technology, media and financial services company focused on solving some of the world's toughest problems. With products and services ranging from power generation, water processing and security technology to medical imaging, business and consumer financing, media content and advanced materials, GE serves customers in more than 100 countries and more than 300,000 people worldwide. For more information, visit www.ge.com.

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----- INDEX REFERENCES -----

COMPANY: BLACKSTONE GROUP; PHH GROUP INC; GENERAL ELECTRIC; GENERAL ELECTRIC CO;
GENERAL ELECTRIC CO (EGYPT); PHH CORP; PETERSON HOWELL HEATHER INC

NEWS SUBJECT: (Major Corporations (1MA93); Mergers & Acquisitions (1ME39); Corporate Groups & Ownership (1XO09))

INDUSTRY: (Electric Utilities Technology (1EL23); I.T. Consulting & Services (1IT92); Software (1SO30); Application Software (1AP32); I.T. in Warehouse & Logistics (1IT23); I.T. Consulting & Services Vertical Markets (1IT54); Wholesale, Retail & Distribution I.T. Services (1WH94); I.T. Vertical Markets (1IT38); Financial Services (1FI37); Software Products (1SO56); I.T. in Financial Services (1IT24); I.T. (1IT96); Banking & Financial Services Software (1BA49); Electric Utilities (1EL82); Utilities Technology (1UT40); I.T. in Utilities, Oil & Gas (1IT32); Utilities (1UT12))

REGION: (Minnesota (1MI53); North America (1NO39); Americas (1AM92); New Jersey (1NE70); New England (1NE37); Connecticut (1CO13); USA (1US73); Oceania (1OC40))

Language: EN

OTHER INDEXING: (BLACKSTONE; BLACKSTONE GROUP; COMBINING; CORPORATE DEBT INVESTING HEDGE FUNDS MUTUAL FUND MANAGEMENT PRIVATE PLACEMENT MARKETABLE ALTERNATIVE ASSET MANAGEMENT; FLEET SERVICES; GE; GE CAPITAL SOLUTIONS; GE CAPITAL SOLUTIONS STEPHEN; GENERAL ELECTRIC CO; INVESTMENT BANKING ADVISORY SERVICES; JP; LLP; MANGES; NYSE: GE; NYSE:GE; NYSE:PHH; PHH; PHH ARVAL; PHH CORP; PHH MORTGAGE; PRIVATE REAL ESTATE INVESTING) (Bob Mitchell; George J. Kilroy; JERSEY INTERNATIONAL CANADAINDUSTRY KEYWORD: BANKING TRANSPORTATION RETAIL ENERGY; Lehman Brothers; Nancy R. Kyle; Private Equity; Richard Laxer)

KEYWORDS: CONNECTICUT MINNESOTA MARYLAND NEW JERSEY INTERNATIONAL CANADA (f);
(BANKING TRANSPORTATION RETAIL ENERGY MERGERS/ACQ)

TICKER SYMBOL: NYSE:GE; PHH

Word Count: 1068

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EXHIBIT B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Trademark Examining Attorney: Tasneem Hussain
Law Office: 105

Applicant: Gordon Brothers Group LLC

Serial No.: 78/748,543

Filing Date: November 7, 2005

Mark: 1903 DEBT FUND, L.P.

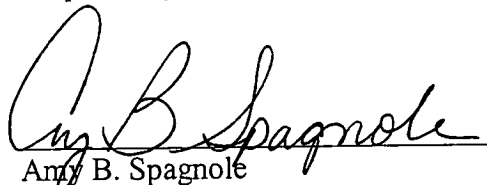
Commissioner for Trademarks
Box 1451
Alexandria, VA 22313-1451

NOTICE OF APPEAL

Appeal is taken herewith from the final refusal to register in the above entitled application. A check is enclosed herewith to cover the appeal fee. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 50-0485.

A Request for Reconsideration is being submitted concurrently herewith, and it is believed will moot the need for an Appeal. The Appeal, however, is being filed to preserve Applicant's rights in the event the Request for Reconsideration is denied.

Respectfully submitted,



Amy B. Spagnole
Hinckley, Allen & Snyder LLP
28 State Street
Boston, MA 02109
Telephone: (617) 345-9000
Facsimile: (617) 345-9020

Attorneys for Applicant

Dated: June 27, 2007

Certificate Of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the Commissioner for Trademarks, PO Box 1451, Alexandria, VA 22313-1451, on 6/27/07

Date 6/27/07
